	Application No.	Applicant(s)	
Notice of Allowability	10/029,800	SMITH ET AL.	
	Examiner	Art Unit	
	Jonathan G. Sterrett	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *5-19-06*.

2. ☒ The allowed claim(s) is/are *1-8*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date *5-18-06*

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *20060803* .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

Examiner's Amendment

1.   An examiner's amendment to the record is attached to the Office Action. Should

the changes and/or additions be unacceptable to applicant, an amendment may be filed

as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST

be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview

with Mr. Jeramie Keys, Reg. 42,724 on 27 July 2006. See attached interview summary.

2.   The claims below are the pending claims in the application.

1.   (Currently Amended) A system for documenting delays during a

telecommunications service call project comprising:

a communications device operable by a user, wherein the communications

device is adapted to receive from the user project information related to a delay in the

field associated with a project with a service installation guarantee threshold, wherein

reasons for delay comprise adverse weather conditions, lack of equipment, lack of

technical expertise, customer postponement, customer is unavailable to accept

restoration of service until all repairs are completed, and circuit verification is required

by customer, the user selecting an option from the user interface to display a delay

maintenance timer entry page where the project information related to the delay is

entered, wherein the communications device receivers user log in information to create

<u>a communication session and to upload the project information related to the delay</u>

<u>during the communication session</u>;

a server accessible by the communications device via a communications network

during [[a]] <u>the</u> communications session to receive the project information from the

communications device wherein the project information includes at least a duration and

a classification of an excusable delay, wherein further an excusable delay comprises

adverse weather conditions, customer postponement, customer is unavailable to accept

restoration of service until all repairs are completed, and circuit verification is required

by customer;

an elapsed time clock in communication with the server where the elapsed time

clock measures the total elapsed time from the initiation to the completion of the project;

a delay maintenance timer in communication with server, wherein the delay

maintenance timer aggregates all excusable delays encountered during the project [[;]]

<u>in response to invocation by the server;</u> and

a systems interface coupled to the server, wherein the systems interface is

adapted to facilitate uploading of the project information from the communications

device to the server during the communications session, wherein the server is further

adapted to <u>invoke the delay maintenance timer by submitting the project information</u>

<u>related to the delay to the</u> ~~update~~ a delay maintenance timer ~~with the project~~

~~information~~, wherein further at the completion of the project the server subtracts the

aggregated excusable delay on the delay maintenance timer from the total elapsed time

to determine a discounted project time, wherein the discounted project time is compared

to the service installation guarantee threshold to determine if the project was completed

within the service installation guarantee threshold.

2.   (Original) The system of claim 1, wherein the delay maintenance timer is

associated with a legacy system.

3.   (Previously Presented) The system of claim 1, wherein the project

information comprises at least a name of a person authorizing invocation of the DMT; a

customer name; a telephone number of the customer; a reason for the delay; a date

and time the agreement was reached with the customer; a return date and time on

which performance of the task should be resumed; and comments.

4.   (Previously Presented) The system of claim 1, wherein the

communications device is one of a telephone and a computing device.

5.   (Original) The system of claim 1, wherein the systems interface includes

one or more of a protocol server and a transaction server.

6.   (Currently Amended) A method for documenting delays comprising the

steps of:

while in the field, selecting by a user an option from a user interface of a

communications device to display a delay maintenance timer entry page where project

information related to a delay is entered, wherein the communications device receives

user log in information to create a communication session and to upload the project

information related to the delay during the communication session, inputting project

information related to [[a]] the delay associated with a telecommunications service call

project with a service installation guarantee threshold using [[a]] the communications

device, wherein reasons for delay comprise adverse weather conditions, lack of

equipment, lack of technical expertise, customer postponement, customer is unavailable

to accept restoration of service until all repairs are completed, and circuit verification is

required by customer, and wherein the project information includes at least a duration

and a classification of an excusable delay, wherein further an excusable delay

comprises adverse weather conditions, customer postponement, customer is

unavailable to accept restoration of service until all repairs are completed, and circuit

verification is required by customer;

     establishing [[a]] the communications session between the communications

device and a server by launching [[an]] the user interface [[via]] in response to the user

selecting an icon on the communications device that represents the option;

     uploading the project information related to the delay during the communication

session from the communications device to the server wherein the server is in

communication with a maintenance clock where the maintenance clock measures the

total elapsed time from the initiation to the completion of the project;

     examining each reason for delay to determine whether the delay is excusable,

wherein delays that are excusable are documented as such and increment a delay

maintenance timer and delays that are excusable do not;

invoking by the server a delay maintenance timer that is in communication with the server only for delays that are excusable by submitting the project information;

aggregating all excusable delays encountered during the project at the delay maintenance timer in response to invocation by the server; and

subtracting the amount of excusable delay time on the delay maintenance timer from the total elapsed time to determine a discounted project time, wherein the discounted project time is compared to the service installation guarantee threshold to determine if the project was completed within the service installation guarantee threshold.

7. (Original) The method of claim 6, wherein the inputting step uses a user interface at the communications device.

8. (Original) The method of claim 6, wherein the establishing step involves a communication network and a systems interface.

9. (Cancelled)

10- 25. (Cancelled)

Allowable Subject Matter

3.   **Claims 1-8** are allowed.

Reasons for Allowance

4.   The following is a statement of reasons for the indication of allowable subject

matter:

None of the prior art of record, taken individually or in any combination, teach,

inter alia,

a communications device operable by a user, wherein the communications

device is adapted to receive from the user project information related to a delay in the

field associated with a project with a service installation guarantee threshold, wherein

reasons for delay comprise adverse weather conditions, lack of equipment, lack of

technical expertise, customer postponement, customer is unavailable to accept

restoration of service until all repairs are completed, and circuit verification is required

by customer, the user selecting an option from the user interface to display a delay

maintenance timer entry page where the project information related to the delay is

entered, wherein the communications device receivers user log in information to create

a communication session and to upload the project information related to the delay

during the communication session;

a server accessible by the communications device via a communications network

during the communications session to receive the project information from the

communications device wherein the project information includes at least a duration and

a classification of an excusable delay, wherein further an excusable delay comprises

adverse weather conditions, customer postponement, customer is unavailable to accept

restoration of service until all repairs are completed, and circuit verification is required

by customer;

an elapsed time clock in communication with the server where the elapsed time

clock measures the total elapsed time from the initiation to the completion of the project;

a delay maintenance timer in communication with server, wherein the delay

maintenance timer aggregates all excusable delays encountered during the project in

response to invocation by the server; and

a systems interface coupled to the server, wherein the systems interface is

adapted to facilitate uploading of the project information from the communications

device to the server during the communications session, wherein the server is further

adapted to invoke the delay maintenance timer by submitting the project information

related to the delay to the delay maintenance timer, wherein further at the completion of

the project the server subtracts the aggregated excusable delay on the delay

maintenance timer from the total elapsed time to determine a discounted project time,

wherein the discounted project time is compared to the service installation guarantee

threshold to determine if the project was completed within the service installation

guarantee threshold;

as recited in independent **Claims 1 and 6.**

The novelty of the invention is in the combination of the limitations cited in independent **Claims 1 and 6** and not in any specific individual claim limitation.

The prior art reference most closely resembling the applicants claimed invention is Norand's Pen*Key Computer Product (hereinafter **Norand**).

While **Norand** discloses:

a communications device operable by a user, wherein the communications device is adapted to receive from the user project information related to a delay associated with a project;

a server accessible by the communications device via a communications network during a communications session to receive the project information from the communications device; and

a systems interface coupled to the server, wherein the systems interface is adapted to facilitate uploading of the project information from the communications device to the server during the communications session,

wherein the server is further adapted to update a delay maintenance timer with the project information.

However, **Norand** fails to disclose:

Where delays are classified as excusable and non-excusable;

wherein further an excusable delay comprises adverse weather conditions, customer postponement, customer is unavailable to accept restoration of service until all repairs are completed, and circuit verification is required by customer;

an elapsed time clock in communication with the server where the elapsed time clock measures the total elapsed time from the initiation to the completion of the project;

a delay maintenance timer in communication with server, wherein the delay maintenance timer aggregates all excusable delays encountered during the project in response to invocation by the server; and

a systems interface coupled to the server, wherein the systems interface is adapted to facilitate uploading of the project information from the communications device to the server during the communications session, wherein the server is further adapted to invoke the delay maintenance timer by submitting the project information related to the delay to the delay maintenance timer, wherein further at the completion of the project the server subtracts the aggregated excusable delay on the delay maintenance timer from the total elapsed time to determine a discounted project time, wherein the discounted project time is compared to the service installation guarantee threshold to determine if the project was completed within the service installation guarantee threshold;

as recited in **Claims 1 and 6**.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Shinozaki JP 2000112746 A discloses a timing device for prevent delays

associated with resources necessary to complete a project.
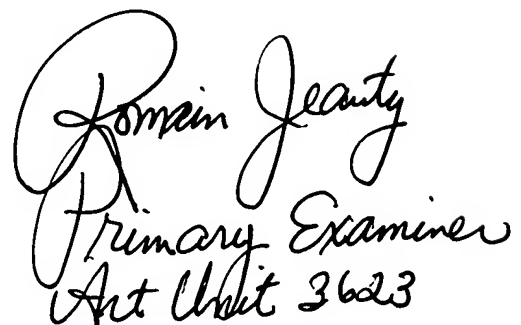

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jonathan G. Sterrett whose telephone number is 571-

272-6881. The examiner can normally be reached on 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tariq Hafiz can be reached on 571-272-6729.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

JGS

8-3-2006

Romain Jeanty
Primary Examiner
Art Unit 3623